

HOUSE BILL 238

By Byrd

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, Part 1; Title 49, Chapter 10, Part 7 and Section 49-6-2109, relative to specially equipped school buses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2109, is amended by adding the following as a new subsection:

(f)

(1) As used in this subsection (f), “specially equipped school bus” or “bus” means a Class A1 or A2 school bus, that is designed, equipped, or modified to accommodate students with disabilities or other special transportation needs.

(2) The board shall permit the use of specially equipped school buses for a period of fifteen (15) years of service. If a specially equipped school bus reaches the fifteenth year of service requiring discontinuance of its use during a school year, the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year. The bus shall meet all requirements for continued safe use and operation during the remainder of the school year, and the owner of the bus shall immediately notify the department of safety in writing, via certified mail, when the bus reaches the fifteenth year requiring discontinuance.

(3) The commissioner of safety is authorized to promulgate rules to effectuate the purposes of this subsection (f). All such rules shall be

promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(4) This subsection (f) shall apply only to any specially equipped school bus manufactured on or after July 1, 2005. Any specially equipped school bus manufactured prior to July 1, 2005, may be in use only until the bus reaches twelve (12) years of service if the bus is a Class A2 school bus, and ten (10) years of service if the bus is a Class A1 school bus; provided, that the bus shall be subject to any law in operation prior to the effective date of this act that governs the inspection and use of the bus.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.